

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SISTER E. JONES-BEY,

Plaintiff,

-against-

PAMELA K. CHEN, ET AL.,

Defendants.

21-CV-6142 (LTS)

ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated September 17, 2021, the Court dismissed the complaint, and granted Plaintiff 30 days' leave to replead her state-law claims and to allege facts establishing that the Court has diversity jurisdiction of those claims. (ECF 12.) Rather than filing an amended complaint, on October 4, 2021, Plaintiff filed a notice of interlocutory appeal to the United States Court of Appeals for the Second Circuit. (ECF 13.) By mandate dated May 17, 2022, the Court of Appeals dismissed the appeal because it "lack[ed] an arguable basis either in law or in fact." (*See* ECF 14 (citation omitted).)

More than 30 days have passed since the Court of Appeals issued its mandate, and Plaintiff has not filed an amended complaint. Accordingly, the complaint is dismissed for the reasons set forth in the Court's September 17, 2021, order of dismissal.

The Court denies Plaintiff's request for a writ of *habeas corpus*. (ECF 10.)

The Court declines to exercise supplemental jurisdiction of any state law claims Plaintiff may be asserting. *See* 28 U.S.C. § 1367(c)(3).

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: July 6, 2022
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge